

REMARKS/ARGUMENTS

1. Rejection of claims 19-28 under 35 U.S.C. 101:

Claims 19-28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

5 As per claim 19, the claimed invention is directed towards an abstract idea, per se, but do not transform an article or physical object to a different state or thing and do not produce a tangible result. To direct the claimed invention to statutory subject matter, the claim must be amended to include performing a physical transformation that produces a tangible result, such as storing the corresponding address, the single bit-pattern, or the
10 result of the discrimination in a memory.

Response:

Claim 19 has been amended to specify the step of “storing the objective group in memory.” With this amendment to claim 19, the method of claim 19 now produces a
15 tangible result. Reconsideration of claims 19-21 and 24-28 is therefore respectfully requested.

2. Double patenting rejection of claims 19 and 25-28:

Claims 19 and 25-28 are rejected on the ground of nonstatutory double patenting
20 over claims 19-20, 24-26, 28-29, and 31-33 of copending Application. No. 10/707,645.

Response:

Claim 19 has been amended to include the limitations previously found in claims 22 and 23. No new matter has been added as a result of this change. In view of the
25 amendment to claim 19, reconsideration of claims 19 and 25-28 is respectfully requested.

3. Rejection of claims 19-22 and 24-28 under 35 U.S.C. 102(b):

Claims 19-22 and 24-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Manning (US 6,321,316).

Response:

5 Claim 19 has been amended to include the limitations previously found in claims 22 and 23. Claim 23 had been indicated as allowable if rewritten in independent form. Accordingly, claim 19 should now be in allowable form. Claims 20-21 and 24-28 are dependent on claim 19, and should be allowed if claim 19 is allowed. Reconsideration of claims 19-21 and 24-28 is therefore respectfully requested.

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4. Rejection of claims 19-22, 25-26, and 28 under 35 U.S.C. 103(a):

Claims 19-22, 25-26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koos (US 4,400,794) in view of Schmisser et al. (US 6,128,718).

15 **Response:**

As noted above, claim 19 has been amended to include the limitations previously found in claims 22 and 23. Claim 23 had been indicated as allowable if rewritten in independent form. Accordingly, claim 19 should now be in allowable form. Claims 20-21, 25-26, and 28 are dependent on claim 19, and should be allowed if claim 19 is allowed.

20 Reconsideration of claims 19-21 and 25-26, and 28 is therefore respectfully requested.

In view of the claim amendments and the above arguments in favor of patentability, the applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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Sincerely yours,



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